IN THE HIGH COURT OF JUDICATURE AT PATNA
MJC No.2664 of 2005
MATHURA SHARMA
Versus
MAHENDRA SHARMA & ORS
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3. 7.9.2009 It is submitted by learned counsel for the petitioner that the amount of Rs. 125/- directed to be deposited by the order dated 28.7.2006 was deposited within the peremptory time, but due to inadvertence the receipt showing payment of the same was not filed within the same time, rather subsequently on 28.5.2007.

The order dated 28.7.2006 is modified to the extent that the time for filing the receipt shall stand extended to 28.5.2007.

Accordingly, it is held that the order dated 28.7.2006 has not become non est and C.R. No.1109 of 2005 stands restored to its original file.

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VPS **(Ramesh Kumar Datta, J.)**